

4. Plaintiff asserts five federal and state causes of action in his Complaint against defendants DCI and Twentieth Century Fox Film Corporation ("Fox Film"). In addition, Plaintiff has served a 74-page Response in Opposition to Defendants' Motions for Summary Judgment. Because of the number and nature of the claims raised in Plaintiff's Complaint, and the number and nature of the arguments in Plaintiff's Response, for DCI to adequately address Plaintiff's Complaint and Response in its Reply with appropriate authority and argument, DCI seeks leave to exceed the page limit proscribed by the Local Rules for reply motions and to file a motion not to exceed 22 pages.

5. In addition, DCI seeks to leave to file an appendix to its Reply, containing deposition excerpts, an expert declaration and exhibits to rebut arguments raised in Plaintiff's Response, not to exceed 140 pages which includes, as Tab 1, Discovery Communications, Inc.'s Response to Plaintiff's Genuine Issues of Material Fact and Response to DCI's Undisputed Statement of Material Fact (with Attachment A Setting Forth Uncontroverted and Controverted Facts Asserted by Plaintiff to DCI's Rule 56 Statement).

6. DCI has conferred with plaintiff's counsel regarding the substance of this motion. This motion is unopposed.

WHEREFORE, Defendant Discovery Communications, Inc. prays that this unopposed motion be granted and that the Court enter an order enlarging the page limit on DCI's Reply to

Plaintiff's Response in Opposition to Defendants' Motions for Summary Judgment up to 23 pages and for its appendix, up to 157 pages.

Dated this 11th day of August, 2003

Respectfully submitted,

Laura R. Handman

by [Signature]

Laura R. Handman, Esq. (be permission Victor Hlavinka)
(Attorney-In-Charge, *pro hac vice*)
Constance M. Pendleton, Esq. (*pro hac vice*)
DAVIS WRIGHT TREMAINE LLP
1500 K Street, N.W., Suite 450
Washington, D.C. 20005-1272
(202) 508-6600
(202) 508-6699 facsimile
laurahandman@dwt.com

Victor F. Hlavinka
ATCHLEY, RUSSELL,
WALDROP & HLAVINKA, L.L.P.
1710 Moores Lane
P.O. Box 5517
Texarkana, TX 75505-5517
(903) 792-8246
(903) 792-5801 facsimile
vh@arwhlaw.com

Attorneys for Defendant
Discovery Communications, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of August 2003, true and correct copies of the foregoing Defendant Discovery Communications, Inc.'s Unopposed Motion for Leave to Exceed the Page Limit on its Reply to Plaintiff Scott O'Grady's Response in Opposition to Defendants' Motions for Summary Judgment and proposed order were served by facsimile and first class mail, postage prepaid, upon:

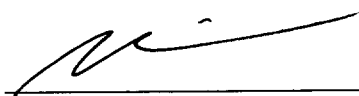
George E. Bowles, Esq.
C.W. Flynn, Esq.
Roy W. Hardin, Esq.
Scott Hastings, Esq.
John D. Wiseman, Esq.
Locke Liddell & Sapp LLP
2200 Ross Avenue, Suite 2200
Dallas, TX 75201-6776

G. William Lavender, Esq.
Lavender Law
Landmark Building
210 N. State Line, Suite 503
Texarkana, AR 71854

Charles L. Babcock, Esq.
Jackson Walker, L.L.P.
901 Main Street, Suite 6100
Dallas, Texas 75202-3797

Nancy Wells Hamilton, Esq.
Jackson Walker, L.L.P.
1401 McKinney
Suite 1900
Houston, Texas 77010

George L. McWilliams, Esq.
Patton, Haltom, Roberts, McWilliams & Greer, L.L.P.
2900 St. Michael Drive, Suite 400
P.O. Box 6128
Texarkana, TX 75503



Victor F. Hlavinka